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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/691,421   | 10/17/2000  | Xiao Ping Zhou       | SYMXP001            | 6791             |
| 47472  | 7590        | 11/01/2005           | EXAMINER            |                  |
| RITTER, LANG & KAPLAN LLP -<br>P.O. BOX 2448<br>SARATOGA, CA 95070 |             |                      | SNAY, JEFFREY R     |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 1743                |                  |

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



09/69/42/ 6  
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| APPLICATION NO./<br>CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR /<br>PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
|---------------------------------|-------------|---|---------------------|

EXAMINER

ART UNIT

PAPER

10282005

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**Commissioner for Patents**

1. The reply filed on 08-09-2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has failed to substantively address the rejection of claims 2, 4, 9, 12, 14 and 25, as set forth in paragraph 15 of the last Office action. See 37 CFR 1.111. Applicant acknowledges that the instant application is a continuation-in-part of Serial No. 09/607535, which in turn is a divisional application of Serial No. 09/093870, and asserts that the instant application therefore as an earlier effective filing date than the applied references. However, applicant has not provided any evidence or argument to rebut the Office's assertion (see Interview Summary of 07-29-04) that the above-noted claims are not supported by the parent applications and therefore not entitled to the earlier effective filing date. Applicant did provide such evidence or argument with respect to claims 1, 3, 5-8, 13, 19-21, 23, 24 and 26-29 which indicates that the above-noted omission was inadvertent.

2. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Snay whose telephone number is (571) 272-1264. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill A. Warden can be reached on (571) 272-1267. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jeffrey R. Snay Primary Examiner Art Unit 1743

jrs

Jeffrey R. Snay  
Primary Examiner  
Art Unit: 1743